

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1805

GOLDIE M. SUTHERLAND, Widow of James T.
Sutherland,

Petitioner,

versus

DIRECTOR, OFFICE OF WORKERS' COMPENSATION
PROGRAMS, UNITED STATES DEPARTMENT OF LABOR;
MULLINS COAL COMPANY; WEST VIRGINIA
COAL-WORKERS' PNEUMOCONIOSIS FUND,

Respondents.

On Petition for Review of an Order of the Benefits Review Board
(02-449-BLA)

Submitted: January 15, 2004

Decided: January 27, 2004

Before WIDENER and TRAXLER, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Goldie M. Sutherland, Petitioner Pro Se. Michelle Seyman Gerdano,
Patricia May Nece, UNITED STATES DEPARTMENT OF LABOR, Washington,
D.C.; Robert Weinberger, Senior Assistant Attorney General,
Charleston, West Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Goldie M. Sutherland seeks review of the Benefits Review Board's decision and orders affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000) and denying reconsideration. Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Sutherland v. DOWCP, No. 02-449-BLA (BRB June 6, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED